

**Rhode Island Emergency Management Agency**

**State Emergency Response Commission**

**Monday, December 2, 2013**

**Members: Guests (con't):**

**Executive Director of RIEMA – Jamia McDonald RIAEM – Joe Arsenault**

**RI Dept. of Environmental Mgt. – James Ball HEALTH – Joe Reppucci**

**RI Dept. of Labor and Training – Not Present RIAFC – Fred Stanley**

**HEALTH – Bob Vanderslice RIEMA - Melinda Hopkins**

**State Fire Marshal – Not Present RIEMA – Paul D’Abbraccio**

**RI Dept. of Administration –Not Present USEPA – Jim Gaffey**

**League of Cities & Towns – Not Present RIDOT - Joann Securo**

**Guests: Johnson & Wales - Susan Mayo**

**LEPC 1 – Steve Preston RIDEM – Terry Gray**

**LEPC 2 –Jeffrey Varone RIDEM – Andrew Manca**

**LEPC 3 – David DiMaio HARI – Dawn Lewis**

**LEPC 4 –Stefan Coutoulakis EXCEEDA – Tom Pesaturo**

**LEPC 5 – Not Present RIPCA – Leo Messier**

**SERC Training Committee- Bill Giannini**

**Meeting called to order at 10:05 AM and reviewing minutes, roll call was done, there was a quorum. Chief Stanley (RIAFC) made a motion to approve, seconded by Joe Reppucci (DOT), motion approved.**

## **Old Business**

### **Pawtucket Power Offload (Jim Gaffey, USEPA)**

The offload at Pawtucket Power did not occur, there was a conflict with issues and concerns so they decided to hold off, they are meeting today (12/3), with Pawtucket Fire, not sure of new date as soon as one is known, it will be forwarded.

Paul D'Abbraccio (RIEMA) asked what the concerns were. It was stated that it isn't really clear, but there will be a lot more involvement from police & fire then they thought. Lack of knowledge of what capabilities they have, felt uncomfortable moving forward until they have all players up to date. It is being negotiated how many hazardous material crews will be needed and what roads to close, logistics issues. There are no concerns with the actual offload; it is being done by Stellar Environmental, who has done this type of offload before. There is one road in one out, is it unreasonable to close road and do offload then reopen, and the plant did not make the proper notifications. There was also some pushback from Pawtucket Power on how much Pawtucket Fire Department was charging.

### **TIER II Workshop – Jamia McDonald (Exec. Director RIEMA)**

Paul D'Abbraccio has been planning a Tier II workshop, and EPA is holding one on January 14th at URI 8:30 – 12:00, is there redundancy if we plan one? Is it different audiences, or same? Jim Gaffey (USEPA) stated that the one RI holds is more comprehensive, EPA provides update on submittal, what EPCRA is, it is Tier II focus only.

**Jim Gaffey (USEPA) and Paul D'Abbraccio (RIEMA) will talk regarding this. Len Wallace will be doing the workshop for USEPA.**

**School Safety – Jamia McDonald (Exec. Director RIEMA)**

**Janet Coit (Director RIDEM) and I are working with USEPA to better understand where the funds are. There has been numerous correspondence with region but have not had any response. Terry Gray (RIDEM) sent an email asking for update, hasn't heard back, only received a prelim response only. Tweaked again hasn't heard. He will follow up again.**

**Bob Vanderslice (RIDOH) met with Joe DaSilva (Dept. of Ed) the bond program, can help with school safety issues pipeline of funds, schools can apply for health and safety money, if you have things you want done, will work in the Scope of Work. Providence and Pawtucket are in pipeline now for clean outs. Communicate with Department of Education on specific health and safety for schools - won't do it comprehensively or baseline assessment, can we invite him next meeting? Work together to make sure schools are asking for right items in bond request. Bob Vanderslice (DOH) will take lead and invite Joe DaSilva (Dept. of Ed) to the next meeting.**

**Updates from Local Emergency Planning Committee (LEPC) chairs**

**Jamia McDonald (Exec. Director RIEMA) stated that we only have letters from a couple of LEPC's appointing chairs to their committees. Please get the letters to me stating who the chair is.**

**LEPC 1 – Steve Preston**

**Steve Preston Chair of LEPC 1 stated that they were busy doing things. Not over excited with SERC from lack of support cannot do**

planning or training haven't had planning funds because when SERC wasn't meeting we had no one to request them from. As far as the Tier II workshop, it is planned for January already as we have done over the years.

Jamia McDonald (Exec. Director RIEMA) asked who the audience is for the Tier II workshop being planned in January. Steve Preston (LEPC 1) stated it is Tier II industry – some have private contractors that send information. It has already been scheduled. Steve Preston (LEPC 1) and Jamia McDonald will meet separately.

Steve Preston (LEPC 1) stated that he has been talking to Providence and Pawtucket on the Pawtucket Power offload of anhydrous ammonia; they have not been a good communicator. LEPC 1 the next meeting in January 12th (3rd Wednesday of the month) meet quarterly.

Jamia McDonald (Exec. Director RIEMA) asked who determines the term of the chairperson. It was stated that the term is determined by bylaws; Steve Preston (LEPC 1) is to send the bylaws to Paul D'Abbraccio (RIEMA).

#### **LEPC 2 – Jeff Varone**

Chair Jeff Varone stated that they will hold their quarterly meeting on December 11. He stated he had a request from Algonquin gas parent company asking for info on the property 100 feet on each side of the pipeline. Dave Dimaio (LEPC 3) said it is just a formality, they send it every year to make sure nothing has changed.

The chair discussed the explosion on Mineral Spring Avenue and it was determined that carbon monoxide was highly likely the culprit. It

reached the explosive rate of 125000ppm – 750000ppm. In other news a hazmat ops training class is being held on December 12.

### **LEPC 3 – Dave Dimaio**

Dave Dimaio is still the chair, even though RIEMA has received the letter nominating Chris Albro as the new chair. The reason being is he has not been formally approved by LEPC 2 as chair. This will be done at the next meeting that LEPC 3 holds.

### **LEPC 4 – Stefan Coutalakis**

The last meeting was held in October. Chief Quinn had Stefan put on presentation on Tier II changes, reminding them of their obligation to train employees. December meeting was postponed.

### **LEPC 5 – No representation from LEPC 5**

### **Training committee**

Tabled have meeting on DEC 11

### **Tier II**

Jamia McDonald (Exec. Director RIEMA) turned the meeting over to Terry Gray and Andrew Manca from RI Department of Environmental Management and also Tom Pesaturo of Exceeda.

Tom Pesaturo (EXCEEDA) is on the Master Price Agreement with State of Rhode Island, he was asked to come in and work on Tier II mapping process.

It started with the business process; there is a current state map and a future state map. The current state map was broken in four buckets, and under them we put two columns, things that are valuable to the process and one with non-value (these need change). There are three value items the rest is bogging the system down.

Then a future state map was created, which is a process that will improve the current process to make it more streamlined. When we create a future state map we create a swim lane, and with this we are developing accountability also.

Look at current state and see the items we list. Are there any glaring concerns? Was the intent captured? Jeff Varrone (LEPC 2) said that enforcement was mentioned at the workshop, where is it? Tom Pesaturo (EXCEEDA) replied that the future state has it in the new lines. Steve Preston (LEPC 1) said that they, LEPC 1, go after facilities that do not comply, and always have and copy EPA when the letters of noncompliance are sent. Jamia McDonald (Exec. Director RIEMA) said that is force of will, but we don't have the authority; can EPA delegate authority to LEPC? Jim Gaffey (EPA) said that it has to go thru a legal process. Jamia McDonald (Exec. Director RIEMA) asked if it can be done in a Memorandum of Understanding, and Jim Gaffey (EPA) said not for this, if it is an Extremely Hazardous Substance (EHS) facility, after so many steps we put in a letter to EPA, for them to step in. It was suggested that we put that on to fix in the compliance piece. It was addressed in future state but can put more into it.

### **Future state**

Outreach was lacking (SERC accountability) then the facility would have one website to go to download the form.

Dawn Lewis (HARI) somewhere it should be captured that if you don't carry hazmat anymore the facilities need to put the data in. The problem now is the data goes in once a year, but within thirty (30)

days it could change, if materials change any time after submittal, it should be updated.

Paul D'Abbraccio (RIEMA) asked if WebEOC would be an option if we put this info in it.

The question is whether or not XYZ Fire Department has the ability to access the WebEOC on scene in middle of night. It was then decided that we can't look at technology until business rules are written. Once those are good, we can see if technology will work with it. LEPC's are only concerned with EHS – small business if they are less than 10,000 pounds they need to look at state hazardous substance law and tie them together.

Susan Mayo (JWU) asked how we will know if there is an electronic submission and can we do an update also online.

Terry Gray (RIDEM) said the big issues we tried to solve are: One - businesses reporting to three (3) entities which is fine as long as consistent, it all needs to be on the same page. Another big gap was lack of Quality control – who is reporting, the numbers are all over the place and are not consistent. Need to make sure who needs to report is reporting. This is a batch process – we need to convert to continuous process.

What is baseline data from EPA to determine compliance? Is it complaint driven? Not an EPA program we do enforcement, we do cross referencing with tri data, RCRA data. We get data from states, and from the Department of Labor and Training, it is all good faith submittals.

Tom Pesaturo (EXCEEDA) said that once you get to this point, the

process should be remapped and move it from batch process to a continuous process. Will need to clarify- each of these boxes there will be multiple processes.

Paul D'Abbraccio (RIEMA) stated that we would like to see cross reference to RI Right to Know List. Sue Mayo (JWU) said a portal to say we are getting rid of this, moving this, etc, or adding new inventory to have real time data is what is needed. Have industry provide a summary of what they have done and cross reference it with their old list. We need to build protocols on analyticals we are going to run.

Steve Preston (LEPC 1) stated that this first step is great. Is the SERC going to be repository for Tier II data? On LEPC 1 information I have SERC/state. It was stated that right now it is multi agency DEM/DLT/RIEMA. It was suggested that the funding this program is going to be an issue are HMPE planning funds going to be used? The answer to that is no we have found other sources of funding and once we know role we can look at FTE needs.

Bob Vanderslice (DOH) requested that the community right to know outreach not only be for industry how about the community, this has to be funded somehow and some recognition that this is going on, make the general citizens more aware that this is going on and we may see more support for this. In the future state map one swim lane should include community; it was pointed out that is the LEPC. Reflect on this and give it a week to see how we can refine.

Jamia McDonald (Exec. Director RIDEM) thanked the Department of Environmental Management and Tom Pesaturo (EXCEEDA) for doing



this for us.

Paul D'Abbraccio (RIEMA) asked if we want to present to the LEPC's and Jamia McDonald (Exec. Director RIEMA) said no it is too early to do that. It was proposed to do a workplan for the next SERC meeting then after that possibly take to the LEPC's.

#### **Other News**

Jim Gaffey (USEPA) stated that Eastern Color and Chemical Company located at 35 Livingston Street, Providence was inspected under the RCRA Program and the facility is extremely packed, not with extremely hazardous substances, but they have lots of flammables, lots of unknowns and combustibles. There are major NFPA 400 electrical code issues, down to 19 employees they will probably be shut down.

Dawn Lewis (HARI) asked if the business chart can be put in a cyclical form, to give us a better visual on injection points.

Motion to adjourn by Joe Arsenault (RIAEM) seconded by Dave Dimaio (LEPC 3) motion approved. Meeting adjourned at 11:40 a.m.

Next meeting will be held January 6, 2014 at 2:00 p.m.